

**MINUTES OF THE MEETING
OF THE
BOARD OF NURSING
October 19 & 20, 2005**

Call to Order

Marcy Echternacht, President, called the meeting of the Nebraska Board of Nursing to order at 2:00 p.m., October 19, 2005, at the Staybridge Conference Center, 2701 Fletcher, Lincoln, Nebraska. Copies of the agenda were sent to Board members, news media and other interested persons, and posted.

Roll Call

The following members were present:

Marcy Echternacht, RN, President
Mary Megel, RN, Vice-President
Jacqueline Ross, RN, Secretary
Joyce Bunker, public member
Iris Winkelhake, RN
Mary Bunker, RN
Valerie Fredericksen, RN
Sandra Mann, public member

The following members were absent:

Nancy Gondringer, RN
Deanna Lloyd, LPN

A quorum of the Board was present and the meeting convened. Also present from the Credentialing Division was Sheila Exstrom, RN, Nursing Education Consultant; and Karen Bowen, Nursing Practice Consultant. Present from the Attorney General's office was Terri Nutzman, Assistant Attorney General. Present from the Investigations Division were Marletta Stark and Peggy Persell.

2:04 p.m. Ross left the meeting.

Reinstatement Hearing for Teri Boyer

2:06 p.m. The reinstatement hearing for Teri Boyer, RN convened. Teresa Hampton, hearing officer, the court reporter, and Teri Boyer were present.

2:41 p.m. The hearing concluded. Boyer, and court reporter left the meeting. The board meeting recessed.

2:44 p.m. The meeting reconvened.

1. Frederickson made the motion seconded by J. Bunger **that the board go into closed session for the purpose of discussing findings from the reinstatement hearing.**

Voting Aye: Echternacht, Megel, M. Bunger, J. Bunger, Mann, Frederickson and Winkelhake. Voting Nay: none. Abstain: none. Absent: Lloyd, Gondringer and Ross. Motion carried.

2:44 p.m. The board went into closed session and Stark, Persell and Nutzman left the meeting.

3:30 p.m. The board came out of closed session.

Teri Boyer

2. Winkelhake made the motion seconded by M. Bunger **that the board recommend reinstatement of Teri Boyer's RN license on probation for three years. Conditions of probation will include: 1) abstain from controlled substance, 2) verification from treating practitioner of all prescription medications, 3) report all prescription medications taken, 4) comply with all treatment recommendations, 5) advise department of any professional counseling and submit reports, 6) have no access to controlled substances in course of employment for the first year of probation, 7) have access to controlled substances under supervision the subsequent second year of probation, 8) maintain active practice (130 hours per quarter), 9) attend fibromyalgia support group per treatment recommendations, 10) no staffing agency practice or home health practice, 11) all of the other usual terms of probation.**

Voting Aye: Echternacht, Megel, M. Bunger, J. Bunger, Mann, Frederickson and Winkelhake. Voting Nay: none. Abstain: none. Absent: Lloyd, Gondringer and Ross. Motion carried.

Review of Agenda

The board reviewed the agenda. Exstrom asked that a request from Pam List, a member of the Board of Health, be added to the agenda.

3. Mann made the motion seconded by Winkelhake **that the board adopt the agenda as amended.**

Voting Aye: Echternacht, Megel, M. Bunger, J. Bunger, Mann, Frederickson and Winkelhake. Voting Nay: none. Abstain: none. Absent: Lloyd, Gondringer and Ross. Motion carried.

Review of the Minutes

The board reviewed the September 8, 2005 minutes.

4. M. Bunger made the motion seconded by Fredericksen **that the board approve the minutes of the September 8, 2005 Board of Nursing.**

Voting Aye: Echternacht, Megel, M. Bunger, J. Bunger, Mann, Fredericksen and Winkelhake. Voting Nay: none. Abstain: none. Absent: Lloyd, Gondringer and Ross. Motion carried.

3:54 p.m. meeting recessed.

The meeting reconvened at 8:30 a.m. on October 20, 2005.

Roll Call

The following members were present:

Marcy Echternacht, RN, President
Mary Megel, RN, Vice-President
Jacqueline Ross, RN, Secretary
Joyce Bunger, public member
Iris Winkelhake, RN
Mary Bunger, RN
Valerie Fredericksen, RN
Sandra Mann, public member
Nancy Gondringer, RN
Deanna Lloyd, LPN (arrived 8:36 a.m.)

The following members were absent:
none

A quorum of the Board was present and the meeting convened. Also present from the Credentialing Division was Sheila Exstrom, RN, Nursing Education Consultant; and Karen Bowen, Nursing Practice Consultant. Present from the Attorney General's office was Terri Nutzman, Assistant Attorney General. Present from the Investigations Division were Marletta Stark, Peggy Persell and Sharon Fitz.

5. Gondringer made the motion seconded by M. Bunger **that the board go into closed session for the purpose of reviewing investigation reports.**

Voting Aye: Echternacht, Megel, M. Bunger, J. Bunger, Mann, Fredericksen and Winkelhake, Lloyd, Gondringer and Ross. Voting Nay: none. Abstain: none. Absent: none. Motion carried.

8:31 a.m. The board went into closed session.

9:30 a.m. Schuldt arrived.

1:34 p.m. The board came out of closed session. Fitz, Persell and Schuldt left the meeting.

1:40 p.m. Stark left the meeting.

Based on discussion held in closed session, the board made the following motions:

Darnell Williams

6. J. Bunger made the motion seconded by Winkelhake **that the board deny Darnell Williams' application for an LPN license by endorsement based on his disciplinary action in other states, misrepresentation of material facts on his application for licensure and convictions in another state.**

Voting Aye: Echternacht, Megel, M. Bunger, J. Bunger, Mann, Fredericksen, Winkelhake, Lloyd, Gondringer and Ross. Voting Nay: none. Abstain: none. Absent: none. Motion carried.

Jean Wilson

7. M. Bunger made the motion seconded by Fredericksen **that the board deny reinstatement of Jean Wilson's application for an LPN license based on disciplinary action in another state and misrepresentation of material facts on her application for licensure.**

Voting Aye: Echternacht, Megel, M. Bunger, J. Bunger, Mann, Fredericksen, Winkelhake, Lloyd, Gondringer and Ross. Voting Nay: none. Abstain: none. Absent: none. Motion carried.

Stacey Williams

8. Mann made the motion seconded by Winkelhake **that the board deny Stacey Williams' application for an LPN license by endorsement based on her disciplinary action in other states, misrepresentation of material facts on her application for licensure and convictions in another state.**

Voting Aye: Echternacht, Megel, M. Bunger, J. Bunger, Mann, Fredericksen, Winkelhake, Lloyd, Gondringer and Ross. Voting Nay: none. Abstain: none. Absent: none. Motion carried.

Christopher Martinez

9. J. Bunger made the motion seconded by Mann **that the board grant Christopher Martinez an unencumbered RN license.**

Voting Aye: Echternacht, Megel, M. Bunger, J. Bunger, Mann, Fredericksen, Winkelhake, Lloyd, Gondringer and Ross. Voting Nay: none. Abstain: none. Absent: none. Motion carried.

Carol Erhardt

10. Lloyd made the motion seconded by Gondringer **that the board issue Carol Erhardt a probationary refresher course temporary permit. Upon successful completion of the refresher course, she will be issued a probationary license for 5 years. Both the temporary permit and the license will include the following probationary conditions: 1) abstain from alcohol and controlled substance, 2) verification from treating practitioner of all prescription medications, 3) report all prescription medications taken, 4) submit to random body fluid screens, 5) comply with treatment recommendations, 6) advise department of any professional counseling and submit reports, 7) participate in three AA meetings per week, 8) work under direct RN supervision for one year, 9) work under indirect RN supervision for one year, 10) have no access to controlled substances in course of employment for the first year of probation, 11) have access to controlled substances under supervision the second year of probation, 12) maintain active practice (130 hours per quarter), 13) obtain a sponsor, and 14) all of the other usual terms of probation.**

Voting Aye: Echternacht, Megel, M. Bunger, J. Bunger, Mann, Fredericksen, Winkelhake, Lloyd, Gondringer and Ross. Voting Nay: none. Abstain: none. Absent: none. Motion carried.

Faith Thorpe

11. Megel made the motion seconded by Mann **that the board deny Faith Thorpe's application for an initial LPN license based on her history of convictions and misrepresentation of material facts on her application for licensure.**

Voting Aye: Echternacht, Megel, M. Bunger, J. Bunger, Mann, Fredericksen, Winkelhake, Lloyd, Gondringer and Ross. Voting Nay: none. Abstain: none. Absent: none. Motion carried.

Carl Valenti

12. J. Bunger made the motion seconded by Lloyd **that the board deny Carl Valenti's application for an RN license by endorsement based upon his disciplinary actions in other states and misrepresentation of material facts on his application for licensure.**

Voting Aye: Echternacht, Megel, M. Bunger, J. Bunger, Mann, Fredericksen, Winkelhake, Lloyd, Gondringer and Ross. Voting Nay: none. Abstain: none. Absent: none. Motion carried.

Tammy Adams

- 13. Winkelhake made the motion seconded by Mann that the board issue Tammy Adams an initial LPN license on probation until the completion of her federal court probation. The terms of her probation include: 1) quarterly employer reports, 2) all of the other usual terms of probation.**

Voting Aye: Echternacht, Megel, M. Bunger, J. Bunger, Mann, Fredericksen, Winkelhake, Lloyd, Gondringer and Ross. Voting Nay: none. Abstain: none. Absent: none. Motion carried.

Delegation to Staff

- 14. Fredericksen made the motion seconded by M. Bunger to delegate to board staff approval of proctors for online education when approval is required by disciplinary order, approval of education courses required by disciplinary order, approval of community service requirements by disciplinary order.**

Voting Aye: Echternacht, Megel, M. Bunger, J. Bunger, Mann, Fredericksen, Winkelhake, Lloyd, Gondringer and Ross. Voting Nay: none. Abstain: none. Absent: none. Motion carried.

Discussion of 2006 Meeting Schedule

The board reviewed the schedule options presented for the 2006 board meetings. The board agreed to the schedule of 12 meetings per year, with an additional one half day four times per year. Some future out of Lincoln location suggestions included Hastings, Grand Island, Sidney, and Omaha.

Discussion of November/December 2005 meetings

The members decided to keep the current meetings as scheduled.

Request to meet with the Board

Pam List, a member of the Board of Health, has requested to meet with the board in November to discuss the selection process for board appointees. Pam will be included in the November agenda.

Adjournment

The meeting adjourned at 2:35 p.m.

Respectfully Submitted,

Jacqueline Ross, Secretary